



# भारत का राजपत्र The Gazette of India

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No. 35]

NEW DELHI, SATURDAY, AUGUST 31, 1991/BHADRA 9, 1913

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन की रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-Section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India other than

वित्त मंत्रालय  
(आर्थिक कार्य विभाग)  
(बैंकिंग प्रभाग)

नई दिल्ली, 2 अगस्त, 1991

का.आ. 2261:—बैंकिंग विनियमन अधिनियम, 1949  
(1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का  
प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की  
सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम  
की तृतीय अनुसूची में फार्म "क" के परिशिष्ट के रूप में  
नयी टिप्पणी (च) के उपबन्ध 31 मार्च, 1991 की स्थिति  
के अनुसार कैथोलिक सीरियन बैंक लि. पर उसके तुलन-पत्रों  
के सम्बन्ध में लागू नहीं होंगे।

[संख्या 15/4/91-बी.ओ.-III]  
के.के. मंगल, अव्वर सचिव

MINISTRY OF FINANCE  
(Department of Economic Affairs)  
(Banking Division)

New Delhi, the 2nd August, 1991

S.O. 2261.—In exercise of the powers conferred by Sec-  
tion 53 of the Banking Regulation Act, 1949 (10 of 1949),

the Central Government, on the recommendation of the  
Reserve Bank of India, hereby declare that the provisions  
of Note (f) appended to the form 'A' in the Third Sched-  
ule to the said Act shall not apply to the Catholic Syrian  
Bank Ltd. in respect of its balance sheet as at 31st day of  
March, 1991.

[No. 15/4/91-B.O. III]

K. K. MANGAL, Under Secy.

वाणिज्य मंत्रालय

नई दिल्ली, 14 अगस्त, 1991

का.आ. 2262:—केन्द्रीय सरकार, निर्यात (क्वालिटी  
नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का  
22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों  
का प्रयोग करते हुए, मैसर्स ब्रेकर्स इंडिया लिमिटेड, पंजी,  
मद्रास-600050 में विनिर्मित मोटर गाड़ी के पुर्जों अर्थात्  
ब्रेक समुच्चय मास्टर सिलेंडर, व्हील सिलेंडर, उनके पुर्जों तथा  
भरम्मत के सामान का निर्यात से पूर्व निरीक्षण करने के लिए  
मैसर्स ब्रेकर्स इंडिया लिमिटेड, को जिनका रजिस्ट्रीकृत कार्यालय

(3439)

180, माउंट रोड, मद्रास-600 006 में स्थित है, 13 अगस्त 1991 से तीन और वर्ष की अवधि के लिए का.आ. 2706 तारीख 13 अगस्त, 1984 के अनुसार अधिसूचित शर्तों के अधीन रहने हुए, अभिकरण के रूप में मान्यता देती है।

[का. सं. 5 (9)/88-ई आई एण्ड ई पी]

ए.के. चौधरी, निदेशक

#### MINISTRY OF COMMERCE

New Delhi, the 14th August, 1991

S.O. 2262.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a further period of three years with effect from 13-8-1991 M/s. Brakes India Limited, having their registered office at 180, Mount Road, Madras-600 600, as the agency for inspection of Automobile Spares viz. Brake assembly, Master Cylinder, wheel cylinder, their parts and repair kits manufactured at M/s. Brakes India Ltd., Padi, Madras-600 050, prior to export subject to conditions notified vide S.O. 2706 dated 13th August, 1984.

[F. No. 5(9)/88-EI&EP]

A. K. CHAUDHURI, Director

#### मानव संसाधन विकास मंत्रालय

(महिला एवं बाल विकास विभाग)

पूर्व विन्यास अधिनियम, 1890 (1890 का 6) के मामले में

राष्ट्रीय बाल कोष, नई दिल्ली के मामले में

नई दिल्ली, 13 अगस्त, 1991

का.आ. 2263:—राष्ट्रीय बालकोष, नई दिल्ली के प्रबंधक बोर्ड के अध्यक्ष की स्वीकृति तथा उनके आवेदन पर, केन्द्रीय सरकार, पूर्व विन्यास अधिनियम, 1890 (1890 का 6) की धारा 10 (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते

का. आ. 2264:—राष्ट्रीय बाल कोष, नई दिल्ली के प्रबंधक बोर्ड की सहमति से एवं उनके आवेदन पर पूर्व विन्यास अधिनियम, 1890 (1890 का 6) के खण्ड 4 द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एनडब्ल्यू आदेश देती है कि 67,38,869 रुपये (सबसठ लाख अठ्तीस हजार आठ सौ उन्सठ केवल) (70 लाख रुपये की छूट कीमत) की राशि के नीचे दिए गए व्योम के अनुसार, इंडियन प्रोडक्सी बैंक, जनकपुरी, नई दिल्ली में मदिकेट आफ डिपॉजिट योजना में 15.5 प्रतिशत की ब्याज दर पर 3 महीनों के लिए निवेश की गई है:—

क्रम सं. सं.	राशि	पिछले निवेश की तारीख	सुगतान की तारीख	अध्यक्षिता
1.	62,88,350 (65,00,000 - की छूट कीमत)	23-4-91	23-7-91	
2.	2,38,869			

राष्ट्रीय बाल कोष के पास उपलब्ध  
बकाया भेकड़ में से।

उपरोक्त खाता भारत के पूर्व विन्यास कोषाध्यक्ष के नाम होगा और इस धनराशि का वह राष्ट्रीय बाल कोष, नई दिल्ली के प्रशासन के लिए उस योजना के अनुसार उपयोग में लावेगा जो भारत सरकार के तत्कालीन समाज कल्याण विभाग की दिनांक 2 मार्च, 1979 की समय-समय पर यथासंशोधित सं.सा.आ. 120 (ई) के साथ प्रकाशित की गई थी।

[सं. 13-7/91-टी.आर. II]

जी.आर. सुमन, अवर सचिव

हुए, राष्ट्रीय बाल कोष के गठन में नियम 3(क) में एतद्वारा निम्नलिखित संशोधन करती है

नियम 3 कोष का प्रबंध और संचालन (अर्थात् प्रबंध बोर्ड)

(क) अध्यक्ष (पदेन अधिकारी) के नीचे

मानव संसाधन विकास मंत्रालय में कैबिनेट मंत्री

2. उपरोक्त संशोधन, राष्ट्रीय बाल कोष, नई दिल्ली के प्रशासन के लिए योजनाअनुसार उस तारीख से लागू होंगे जिस तारीख को, भारत सरकार की तत्कालीन समाज कल्याण विभाग की दिनांक 2 मार्च, 1979 की समय-समय पर यथासंशोधित अधिसूचना संख्या 120 (ई) के साथ, राजपत्रित अधिसूचना प्रकाशित होगी।

[सं. 2-4/90 टी.आर.-II]

MINISTRY OF HUMAN RESOURCE DEVELOPMENT  
(Department of Women and Child Development)

IN THE MATTER OF THE CHARITABLE

ENDOWMENTS ACT, 1890 (6 of 1890)

IN THE MATTER OF THE NATIONAL CHILDREN'S

FUND, NEW DELHI

New Delhi, the 13th August, 1991

S.O. 2263.—On the application made by and with the concurrence of the Chairman, Board of Management of the National Children's Fund, New Delhi, as in exercise of the powers conferred by Section 10(2) of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government do hereby make the following amendments to Rule 3(a) in the Constitution of the National Children's Fund as under:—

Rule 3 Management and Administration of the Fund  
i.e. Board of Management

(a) under Chairman (Ex-officio)

Cabinet Minister in the Ministry of Human Resource Development

2. The above amendments shall be applied in accordance with the scheme for the administration of the National Children's Fund, New Delhi from the date of publication of the Gazette Notification to be published with the notification of the Government of India in the then Department of Social Welfare S. No. 120(E), dated 2nd March, 1979, as amended from time to time.

[F. No. 2-4/90-TR-II]

S. O. 2264 :—On the application made by and with the concurrence of the Board of Management of the National Children's Fund, New Delhi, as exercise of the powers conferred by Section 4 of the Charitable Endowments Act 1890 (6 of 1890), the Central Government do hereby order that the sum of Rs. 67,38,869/ (Rupees Sixtyseven lakhs Thirtyeight thousand and Eight Hundred and Sixty Nine Only)(discounted value of Rs. 70,00,000) as per particulars given below be invested in Certificate of Deposit Scheme in Indian Overseas Bank, Janakpuri Branch, New Delhi for three months @ interest 15.5% p.a.

Sl. No.	Amount	Date of Previous Investment	Date of Maturity	Remarks
1.	Rs. 62,88,350 (discounted value of Rs. 65,00,000)	23-4-91	23-7-91	
2.	Rs. 2,38,869			From cash balance with NCF.

2. The above account shall vest in the treasurer of charitable endowments of India to be held by him for being applied in accordance with the scheme for the administration of the National Children Fund, New Delhi, published with the notification of the Government of India in the then Department of Social Welfare No. S. O. 120 (E) dated the 2nd March, 1979 as amended from time to time.

[ F. No. 13-7/91-TR-II]

G.R. SUMMAN, Under Secy.

### कृषि मंत्रालय

(पशुपालन तथा डेयरी विभाग)

नई दिल्ली, 13 अगस्त, 1991

का.आ. 2265 :—भारतीय पशुचिकित्सा परिषद् अधिनियम, 1984 (1984 का 52) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा डा. पी.बी. कुण्डु, पशुपालन आयुक्त, भारत सरकार को तत्काल प्रभाव से भारतीय पशुचिकित्सा परिषद् के पदेन सदस्य के रूप में नियुक्त करती है और निदेश देती है कि कृषि मंत्रालय, भारत सरकार का.आ. संख्या 2051 दिनांक 2 अगस्त, 1989 की अधिसूचना में निम्नलिखित संशोधन कर दिए जाएं, नामतः

कथित अधिसूचना की क्रम संख्या 11 और उससे संबंध प्रविष्टि के लिए निम्नलिखित क्रम संख्या और प्रविष्टि प्रतिस्थापित की जाएगी, नामतः—

“11. डा. पी.बी. कुण्डु, धारा 3(3) (घ) के अन्तर्गत पशुपालन आयुक्त, भारत सरकार (पदेन)”।

[संख्या 23-192/88-एल.डी.टी. (एलएचएस)]

एस.आर. बत्रा, अवसर सचिव

### MINISTRY OF AGRICULTURE

(Department of Animal Husbandry and Dairying)

New Delhi, the 13th August, 1991

S.O. 2265.—In exercise of the powers conferred by section 3 of the Indian Veterinary Council Act, 1984 (52 of 1984), The Central Government hereby appoints Dr. P. B. Kundu, Animal Husbandry Commissioner Government of India, as the ex-officio member of the Veterinary Council of India with immediate effect and directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Agriculture No. S.O. 2051 dated the 2nd August, 1989, namely :—

In the said notification for serial number 11 and entry relating thereto, the following serial number and entry shall be substituted, namely :—

“11. Dr. P. B. Kundu,  
Animal Husbandry  
Commissioner,  
Government of India  
(Ex-officio)”.

under Section 3(3)(d)

[No. 23-192/88-LDT (LHS)]

S. R. BATRA, Under Secy.

### सूचना और प्रसारण मंत्रालय

आदेश

नई दिल्ली, 31 जुलाई, 1991

का.आ. 2266 :—भारत सरकार के सूचना, और प्रसारण मंत्रालय के आदेश संख्या का.आ. 3792, दिनांक 2 दिसम्बर, 1966 की प्रथम अनुसूची में विनिर्दिष्ट प्रत्येक अधिनियम के उपबंध के अन्तर्गत जारी निदेशों के अनुसरण में, केन्द्रीय सरकार एतद्वारा फिल्म सत्ताहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के उपरांत, संलग्न अनुसूची के कालम-2 में विनिर्दिष्ट फिल्मों की, जिसका/जिनका विवरण उपर्युक्त अनुसूची के कालम 6 में दिया गया है, उसके/उनके सभी भाषा रूपान्तरों के साथ स्वीकार करती है। (1-4-1991--30-6-1991 तक अनुमोदित फिल्मों)।

## प्रमुख सूची

क्र.सं.	फिल्म का शीर्षक	फिल्म की लंबाई (मीटर में)	प्रावधानकर्ता का नाम	निर्माता संक्षिप्त रूप रेखा का नाम कि क्या फिल्म वैज्ञानिक फिल्म है या शैक्षिक उद्देश्यों के लिए है या समाचारों और समसामयिक घटनाओं से संबंधित फिल्म है या वृत्तचित्र है।
1	2	3	4	5
1. न्यूज मैगजीन सं. 197 (निमानी नर्मदे)		499.00	फिल्म प्रभाग, भारत सरकार, 24 पीडर रोड, बम्बई-26।	सामान्य प्रदर्शन तथा डाक्यूमेंटरी के रूप में वर्गीकृत।
2. न्यूज मैगजीन सं. 199 (श्रीमंजु ट. राजीव गांधी)		574.00	-तदैव-	सामान्य प्रदर्शन तथा समाचार एवं समसामयिक घटनाओं के रूप में वर्गीकृत।
3. न्यूज मैगजीन सं. 198 (सीमेंटिंग ब्रांड्स विप वियतनाम)		403.00	फिल्म प्रभाग, भारत सरकार, 24 पीडर रोड, बम्बई-26।	सामान्य प्रदर्शन तथा डाक्यूमेंटरी के रूप में वर्गीकृत।
4. महिति चित्र सं. 499		152.40	संयुक्त निदेशक (सूचना), गुजरात सरकार, घनराज मेशन, भूतल, छत्रपति शिवाजी महाराज मार्ग, बम्बई-39।	गुजरात सर्किट में प्रदर्शित तथा समाचार एवं समसामयिक घटनाओं के रूप में वर्गीकृत।
5. महिति चित्र संख्या 500		152.40	-तदैव-	-तदैव-
6. महाराष्ट्र न्यूजरील सं. 454		199.00	महानिदेशक (सूचना एवं जनसंपर्क), महाराष्ट्र सरकार, फिल्म केन्द्र, 68, ताड़देव रोड, बम्बई-34।	महाराष्ट्र सर्किट में प्रदर्शित तथा समाचार एवं समसामयिक घटनाओं के रूप में वर्गीकृत।
7. विशेष महाराष्ट्र समाचार क्रमांक 5		281.00	-तदैव-	-तदैव-
8. यासा एकटकी		244.00	गिब कुमार डी-605, पूनाम प्रगर्टमेंट्स, बर्ली, बम्बई-18।	"डाक्यूमेंटरी" के रूप में सामान्य प्रदर्शन।
9. उत्तर प्रदेश समाचार सं. 132		292.59	श्री धीरेन्द्र पांडे, निदेशक, (सूचना एवं जनसंपर्क), उत्तर प्रदेश सरकार, लखनऊ।	समाचार एवं समसामयिक घटनाओं के रूप में प्रदर्शित।
10. ए.यू.एल. घाई.		292.50	-तदैव-	"डाक्यूमेंटरी" के रूप में सामान्य प्रदर्शन।
11. माला के रंग		32.00	फिल्म प्रभाग, 24 पीडर रोड, बम्बई-26।	-तदैव-
12. संवाद		28.00	फिल्म प्रभाग, 24 पीडर रोड, बम्बई-26।	"डाक्यूमेंटरी" के रूप में सामान्य प्रदर्शन।
13. हराबा		57.00	-तदैव-	-तदैव-
14. कहाशबा		46.00	-तदैव-	-तदैव-
15. शिशु प्रतियोगिता		35.00	-तदैव-	-तदैव-
16. न्यूज मैगजीन सं. 200		314.00	फिल्म प्रभाग, 24 पीडर रोड, बम्बई-28	समाचारों एवं समसामयिक घटनाओं के रूप में सामान्य प्रदर्शन।
17. दो घूमी चार		26.00	-तदैव-	"डाक्यूमेंटरी" के रूप में सामान्य प्रदर्शन।

1	2	3	4	5
18.	एन.ई.सी.सी. सोने के ग्रंथे	306.63	बीनी बखशी गर्वलाट प्रोडक्शन्स, मोटस विल्ला, सीमरा नव, डा. शम्भेडकर रोड, बार, बम्बई-52।	“डाक्यूमेंटरी” के रूप में सामान्य प्रदर्शन।
19.	न्यूज मैगजीन नं. 195	453.00	फिल्म प्रसाग, 24 पैडर रोड, बम्बई-26।	-नईव-
20.	जन्मभूमि-4 (कश्मीर)		-नईव-	-नईव-
21.	समतलम-3	72.00	-नईव-	-नईव-
22.	सरल उपाय	30.00	-नईव-	-नईव-
23.	इट इज पासिबल	270.00	-नईव-	-नईव-
24.	न्यूज मैगजीन नं. 194	312.00	-नईव-	-नईव-
25.	समतलम-2	162.00	-नईव-	-नईव-
26.	रोल आफ विल्ली इज फोडम स्ट्रगल	547.00	-नईव-	-नईव-
27.	भारत रहन---डा. भीमराय शम्भेडकर	462.41	निदेशक (सूचना एवं जनसंपर्क), उत्तर प्रदेश सरकार, लखनऊ।	-नईव-
28.	सबको सम्मति दे भगवान	357.23	निदेशक, (सूचना एवं जनसंपर्क), गुजरात सरकार, गांधी नगर, गुजरात।	“डाक्यूमेंटरी” के रूप में सामान्य प्रदर्शन।

[फाइल संख्या 315/1/91-एफ (पी)]

विषय कुमार, डेलक अधिकारी

# MINISTRY OF INFORMATION & BROADCASTING ORDER

New Delhi, the 31st July, 1991

S.O. 2266 :-In pursuance of the directions issued under the provisions of each of the enactments specified in the first Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S. O. 3792 dated 2nd December, 1966 the Central Government after considering recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be of the description specified against it/each in column 6 of the said Schedule pertaining to the period 1-4-1991 to 30-6-1991.

## SCHEDULE

Sl. No.	Title of the film	Length of the film	Name of the Applicant	Name of the Producer	Brief synopsis whether a scientific film or for educational purpose or a film dealing with news & Current events of documentary film
1	2	3	4	5	6
1.	News Magazine No. 197 (Nimani Narmade)	499.00	Films Division, Government of India, 24—Peddar Road, Bombay-26.		Gen. release and classified as "Doc."
2.	News Magazine No. 199 (Homage to Rajiv Gandhi)	574.00	-do-		Gen. release as "News & Current Events".
3.	News Magazine No. 198 (Cementing Bonds with Vietnam)	403.60	-do-		Gen. release classified as "Documentary"

1	2	3	4	5	6
4. Mahiti Chitra No. 499	152.40	Jt. Director of Information, Government of Gujarat, Dhanraj Mansion, Ground floor, Chhatrapati Shivaji Maharaj Marg, Bombay-39.		Rel. in Gujarat circuit as News and Current Events.	
5. Mahiti Chitra No. 500	152.40	-do-		-do-	
6. Maharashtra News Reel No. 454	199.00	Dir. Gen. of Inf. & Pub. Relations, Govt. of Maharashtra, Film Centre, 68-Tardeo Rd., Bombay-34.		Rel. in Maharashtra circuit as "News & Current Events".	
7. Vishesh Maharashtra Samachar Kramank 5.	281.00	-do-		-do-	
8. Yatra Ektaki	244.00	Shiv Kumar, D-605, Poonam Apartments, Worli, Bombay- 400 018.		Gen. Rel. as "Docu- mentary."	
9. Uttar Pradesh Samachar No. 132	292.59	Shri Dhirendru Pande, Director of Information and Public Relations, Govt. of U.P., Lucknow.		Gen. Rel. as "News and Current Events".	
10. AULI	292.59	-do-		Gen. Rel. as "Doc."	
11. Mala Ke Rang	32.00	Films Division, 24—Peddar Road, Bombay-26.		Gen. Rel. as "Documentary".	
12. Sanvad	28.00	-do-		-do-	
13. Irada	57.00	-do-		-do-	
14. Kahanva	46.00	-do-		-do-	
15. Shishu Pratiyogita	35.00	-do-		-do-	
16. News Magazine No. 200	314.00	-do-		Gen. Rel. as News & Current Events".	
17. Do Dooni Char	26.00	-do-		Gen. Rel. as "Documentary."	
18. NECC-SONE KE ANDE	306.63	Veena Bakshi, Searchlight Productions, Lotus Villa, 3rd floor, 48, Dr. Ambedkar Road, Khar, Bombay-52.		Gen. Release as "Documentary."	
19. News Magazine No. 195	453.00	Films Division, 24, Peddar Road, Bombay-26.		-do-	
20. Janmabhoomi-4 (Kashmir)		-do-		-do-	
21. Samathvam-III	72.00	-do-		-do-	
22. Saral Upay	30.00	-do-		-do-	
23. It is possible	270.00	-do-		-do-	
24. News Magazine No. 194	312.00	-do-		-do-	
25. Samathvam-II	162.00	-do-		-do-	
26. Role of Delhi in Freedom struggle.	547.00	-do-		-do-	
27. Bharat Ratna—Dr. Bhimrao Ambedkar.	472.41	Director of Information & Public Relation, Govt. of U.P., Lucknow.		-do-	
28. Sabko Sanmati De Bhagwan	357.23	Director of Information, Government of Gujarat, Gandhinagar, Gujarat.		-do-	

**अस मंत्रालय**

नई दिल्ली, 5 अगस्त, 1991

का.प्रा. 2267 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, आयल तथा नैचुरल गैस कमीशन के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-8-91 को प्राप्त हुआ था।

**MINISTRY OF LABOUR**

New Delhi, the 5th August, 1991

S.O. 2267.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of Oil and Natural Gas Commission and their workmen, which was received by the Central Government on 2-8-1991

**ANNEXURE**

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I D. No. 63/89

In the matter of dispute between :

Shri Kuldip Nautiyal,  
S/o Shri Atma Dev Nautiyal,  
13, Ballapur, Dehradun.

**Versus**

The Chairman.

Oil and Natural Gas Commission,  
Tel Bhawan, Dehradun.

**APPEARANCES :**

Shri R. P. Goel--for the workman.

None--for the Management.

**AWARD**

The Central Government in the Ministry of Labour vide its Order No. L-30012/21/87-D III (B) dated 20-11-82 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the Management of Oil and Natural Gas Commission, Dehradun in termination of services of Shri Kuldip Nautiyal w.e.f. 1-12-86 is justified? If not, to what relief the workman is entitled?"

2. The management had filed written statement to the claim of the workman and the case was adjourned for filing rejoinder by the workman. The representative for the workman Shri R. P. Goel made statement that the workman was not interested in proceeding further with the case and has not been coming for the last 14 year despite repeated letters by ordinary post, U.P.C. and registered A.D. and his personal visit. He stated that a No Dispute award may be given in the case.

3. After having gone through the statement of the representative for the workman I am of the view that the workman is not interested in proceeding further with this

case and, I, therefore, pass a no dispute award in this case for want of prosecution. Parties are, however, left to bear their own costs.

Dated : 9th July, 1991.

GANPATI SHARMA, Presiding Officer

[No. L 30012/21/87-D.III (B)]

नई दिल्ली, 6 अगस्त, 1991

का.प्रा. 2268 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-91 को प्राप्त हुआ था।

New Delhi, the 6th August, 1991

S.O. 2268.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workmen, which was received by the Central Government on 5-8-1991.

**ANNEXURE**

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL

AT CALCUTA

Reference No. 26 of 1991

**PARTIES :**

Employers in relation to the management of Calcutta Port Trust.

**AND**

Their workmen.

**PRESENT :**

Mr. Justice Marash Nath Roy, Presiding Officer.

**APPEARANCES :**

On behalf of employers—Mr. G. Mukherjee, Personnel Officer.

On behalf of workmen—Mr. R. C. Nandy, Joint General Secretary of the Union.

STATE : West Bengal

INDUSTRY : Port

**AWARD**

After the dispute was referred to this Tribunal by the Government of India, Ministry of Labour vide Order No. L-30012/1/90-IR (Misc.) dated 24th September, 1990 over the action of the management of Calcutta Port Trust in refusing to allow the benefits of two increments to Shri Kanahailal Ganguly for adjudication, pleadings were completed and thereafter on 18th July, 1991 a petition signed by the Joint General Secretary of the Calcutta Port and Dock Workers' Union was filed for a No Dispute Award since the concerned workman has been allowed the benefits under the reference. This was not opposed by the manage-

ment. As such a No Dispute Award is made.  
Dated, Calcutta,

The 22nd July, 1991.

MANASH NATH ROY, Presiding Officer

[No. L-32012/1/90-IR (Misc.)]

S. S. PARASHER, Under Secy.

नई दिल्ली, 6 अगस्त, 1991

का.आ. 2269 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ पटियाला के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-91 को प्राप्त हुआ था।

New Delhi, the 6th August, 1991

S.O. 2269.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Patiala and their workmen, which was received by the Central Government on 5-8-1991.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 2/91

In the matter of dispute between :

Shri Bikram Singh Rana S/o Shri Tej Bahadur Rana,  
Village Anarwala, Post Dehradun Cantt. Pin-248003.

Versus

Zonal Manager,  
State Bank of Patiala,  
C-31, Connaught Place, New Delhi-110001.

#### APPEARANCES :

None—for the workman.

None—for the Management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. 12012/208/90-IR (B-3) dated 31-12-90 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether Shri Bikram Singh Rana S/o Shri Tej Bahadur Rana, was the workman of State Bank of Patiala ? If so, whether the action of the management of State Bank of Patiala in terminating the services of Shri Bikram Singh Rana w.e.f. 23-5-88 A.N. was legal and justified ? If not, to what relief Shri Bikram Singh Rana is entitled to ?"

2. The case was fixed for the filing of the claim by the workman but neither he appeared nor his representative attended the Court. A perusal of the file would show that on no date the workman had appeared and it was only on 16-4-91 and 15-5-91 that Shri R. P. Goel had appeared

on behalf of the workman. He too did not file the claim statement and thereafter even he stopped appearing on 25-6-91, 9-7-91 and 31-7-91. It appears that the workman was not interested in proceeding further with the case and he had not come inspite of having been properly served and finally served through registered A.D. notice. I, therefore, pass a No Dispute award in this case leaving the parties to bear their own costs.

Dated : 1st August, 1991.

GANPATI SHARMA, Presiding Officer

[No. L-12012/208/90-IR (B-III)]

S. C. SHARMA, Desk Officer

नई दिल्ली, 7 अगस्त, 1991

का.आ. 2270 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार देना बैंक के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-91 को प्राप्त हुआ था।

New Delhi, the 7th August, 1991

S.O. 2270.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the Dena Bank and their workmen, which was received by the Central Government on 5-8-1991.

#### ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
AT CALCUTTA

Reference No. 32 of 1989

#### PARTIES :

Employers in relation to the management of Dena Bank.

AND

Their Workmen

#### PRESENT :

Mr. Justice Manash Nath Roy, Presiding Officer.

#### APPEARANCES :

On behalf of management.—Mr. B. K. Saha, Personnel Officer.

On behalf of workmen.—Mr. K. K. Bhattacharya, President of the Union.

STATE : West Bengal.

INDUSTRY : Banking.

#### AWARD

Dena Bank is a nationalised Bank and apart from their regional office at Calcutta, they have branches in Bihar, Orissa and Assam.

2. The two employees concerned in the dispute were Sarbashri Vinod Saha and Nirmal Kanti Ghosh, who joined the service of the Bank on 15th June, 1970 and 1st October, 1970 respectively, as Clerks.

3. The Bank has a Ledger Posting Accounting system being in operation through Accounting Machines Ledger Posting and in the month of April, 1988, two vacancies having arisen in permanent postings in that section, due to the promotion of two existing operators viz Sarbashri Laxmi Chatterjee and M. V. Trivedi as Special Assistants, they had to fill up those vacancies from amongst the senior



most clerks in the centre as per an agreement dated 10th May, 1985, which was a bipartite one and arrived at with the representatives of All India Dena Bank Employees' Co-ordination Committee (hereinafter referred to as the said Union) and related amongst others to the terms in respect of posting of workmen/staff to the post carrying special allowance (other than Special Assistant, Stenographers and Agricultural Assistants), Paragraph VI(a) of that agreement, which will be of relevant consideration in this case is to the following terms :

"(VI) Filling up the post and refusal to accept the Post.—(a) Vacancies arising at any centre will be offered to the seniormost employee eligible for the post in terms of this settlement. On his refusal to accept the post it will be offered to the next senior eligible employee. The employee refusing to work in an allowance carrying post will be debarred from working in the same allowance carrying post for a period of three years."

4. The Bank, according to the said Union failed, refused and neglected to regularise the cases of the two concerned employees against such vacancies, even though they were officiating in the Accounting Ledger Posting Machines uninterruptedly as trained and empanelled persons and as such representations were made to the management to regularise their cases against the two existing vacancies and all negotiations having failed, after a futile conciliation, the following dispute :—

"Whether the demand of the General Secretary, Dena Bank Employees' Union for grant of permanent machine operator allowance to S/Shri Vinod Shah and Nirmal Kanti Ghosh by regularising them as machine operators is justified? If so, to what relief are the workmen concerned entitled?"

was referred for adjudication before this Tribunal by the Govt. of India, Ministry of Labour, vide Order No. L-12012/171/89-DII(A) dated 19th September, 1989.

5. Then pleadings were duly completed, wherefrom it would appear that there were no dispute with regard to the facts leading to the bipartite agreement and in fact, the determination of the dispute will depend on the interpretation of para VI(a) of the agreement as quoted above or the effect of the same and the legality or validity or otherwise of the action as taken on the same by the management. In the proceedings the two concerned employees tendered their evidence, they were not cross-examined and the management lead no evidence. But from consideration of evidence apart from other evidence as tendered it appeared that the two employees concerned were not really employed permanently and for the periods for which they were employed or had actually worked, they received officiating allowances.

6. It was the specific defence of the management that the two employees in this case were offered temporary officiating postings to the posts of Ledger Posting/Accounting Machines as Operators and were given trainings in such operations, as employees senior to them had refused to accept such postings. It was also indicated that in terms of the agreement as quoted hereinabove, those employees on such refusals were debarred for consideration for further postings in such machines/posts for three years and as there was no bar for consideration of their cases thereafter, so the cases of those employees now sought to be considered in preference to the two employees here and in doing so the management has done no wrong, but they have just followed duly the terms of the said bipartite agreement. It should be noted that the permanent vacancies in this case arose in 1986 and as such, the posts were to be filled in from the seniormost clerks. As the terms of the agreement are silent but more specific in favour of debaring the reluctant employees for three years only, so in case vacancies occur after three years, as is the case here, so their cases cannot be overlooked. The receipt of officiating allowance by temporary employees as is the case here will not, in my view, entitle them to the benefit of the two employees concerned.

3120 GI/91—2

7. The contentions put forward by the management, in my view, are substantial and as such, I feel that the reference should be answered in favour of them and against the said workmen.

I award accordingly.

Dated, Calcutta,  
the 15th July, 1991.

MANESH NATH ROY, Presiding Officer

[No. L-12012/171/89-D.II(A)]

का.प्र. 2271.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ इंडिया के प्रबंधन से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. 2 बंबई के पंचपद को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-91 को प्राप्त हुआ था।

S.O. 2271.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2 Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the Bank of India and their workmen, which was received by the Central Government on 5-8-91.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL

TRIBUNAL NO. 2, AT BOMBAY

PRESENT :

Shri P. D. APSHANKAR,

Presiding Officer.

Reference No. CGIT-2/56 of 1985

PARTIES :

The Employers in relation to the management of Bank of India.

AND

Their Workmen

APPEARANCES :

For the Employer.—Shri Thomas Varghese, Industrial Relation Officer.

For the Workmen.—(1) Sri R. R. Fernandes Workman.  
(2) Shri Sharad Dattaraya Tambe, General Secretary, Bank of India Workers' Organisation.

(3) Shri U. T. Shet, President, Bank of India Staff Union.

INDUSTRY : Banking.

STATE : Goa.

Bombay, dated the 22nd July, 1991

#### AWARD

The Central Government by their order No. L-12012/79/84-D.II(A) dated 22-8-1985 have referred the following industrial dispute to this Tribunal for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 :—

"Whether the action of the management of Bank of India Panaji—Goa, in not making Shri. R. R. Fernandes as permanent Cashier in-charge is justified? If not, to what relief is the workman concerned entitled?"

2. The General Secretary of the Bank of India Workers' Organisation filed the necessary statement of claim challenging the said action of the Bank Management.

3. The Zonal Manager of the said Bank filed his written statement in support of the said action of the Bank management.

4. The necessary Issues were framed on the basis of the pleadings of the parties.

5. Thereafter, while the present reference was at the stage of evidence, the workman Shri R. R. Fernandes filed an application dated 11-7-1991 that he may be permitted to withdraw this case, i.e. the dispute in question unconditionally. The Industrial Relation Officer of the said Bank, and the President of the Bank of India Staff Union, Goa, i.e. the rival union made the endorsement on the said application that they have no objection for the withdrawal of the dispute in question by the workman.

6. The workman is allowed to withdraw his dispute. Therefore, in view of the withdrawal of the Industrial dispute by the workman himself, the present reference stands disposed off.

7. The parties to bear their own costs of this reference.

Sd/-

Dated : 22nd July, 1991.

P. D. APSHANKAR, Presiding Officer

[No. L-12012/79/84-D.II(A)]

का.प्रा. 2272:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केनरा बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-91 को प्राप्त हुआ था।

S.O. 2272.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial dispute between the employers in relation to the Canara Bank and their workman, which was received by the Central Government on 5-8-91.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 25/1987

In the matter of dispute between :

U. P. Employees Union through its State Vice President, 1/581, Housing Society Colony, Surendra Nagar, Aligarh : Re : Shri Sharad Pandey.

Versus

Canara Bank through its Personnel Manager, Marshall House, Connaught Place, New Delhi.

#### APPEARANCES :

None—for the workman.

Shri N. C. Sikri with Sh. V. K. Rao and Rattan Lal Sharma, M. W.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/198/86-D.II(A) dated 30-3-1987 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the termination of services of Shri Sharad Pandey, pass Book Writer w.e.f. 6-7-81 is legal and in order? If not, to what relief the workman is entitled?"

2. In this case none appeared on behalf of the workman on 7-5-91, 9-7-91 and 30-7-91 though a registered notice was ordered to be sent to the workman for 30-7-91 but he did not appear. Management witness Sr. Rattan Lal Sharma had appeared on 9-7-91, 7-5-91 and on 30-7-91 also for his cross-examination. Since none has appeared on behalf of the workman it appears that the workman is not interested in proceeding further with this case and I am left with no option but to pass No Dispute award in this case as there is nothing on record to substantiate the claim of the workman. Parties are, however, left to bear their own costs of this dispute.

GANPATI SHARMA, Presiding Officer  
Central Govt. Industrial Tribunal, New Delhi

30th July, 1991.

[No. L-12012/198/86-D. II (A)]

नई दिल्ली, 5 अगस्त, 1991

का. प्रा. 2273:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक आफ इंडिया के प्रबन्धतंत्र के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-8-91 को प्राप्त हुआ था।

New Delhi, the 5th August, 1991

S.O. 2273.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial dispute between the employers in relation to the Central Bank of India and their workmen, which was received by the Central Government on 2-8-91.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 3/91

In the matter of dispute between :

Sh. Shyam Kumar Deshpandey (Excuse), E-120, Motibagh, New Delhi-110021.

Versus

Deputy General Manager,  
Central Bank of India,  
Zonal Office, Link House,  
4, Bahadur Shah Zafar Marg,  
New Delhi.

#### APPEARANCES :

None—for the workman.

Shri D. D. Kapoor—for the Management.

## AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/246/90-I.R.(B-2) dated 11-1-1991 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Bank of India in terminating the services of Sh. Shyam Kumar Deshpandey w.e.f. 23-4-84 is justified ? If not to what relief the workman concerned is entitled ?"

2. The case was fixed for today for filing of claim which has not been filed inspite of opportunities afforded to the workman representative. The representative for the management was present but none present on behalf of the workman today. The workman appears is not interested in proceeding further with the case neither in person nor his representative nor has filed statement of claim so far. I, therefore, pass a No Dispute award in this case for want of prosecution by the workman. Parties are left to bear their own costs.

1st August, 1991.

GANPATI SHARMA, Presiding Officer

[No. L-12012/246/90-IRB-II]

का. आ. 2274.—औद्योगिक विवाद अधिनियम 1947 (1947 का 11) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यँक आफ महाराष्ट्रा के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निरिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-8-91 को प्राप्त हुआ था।

S.O. 2274.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the Industrial dispute between the employers in relation to the Bank of Maharashtra and their workmen, which was received by the Central Government on 2-8-91.

ANNEXURE  
BEFORE THE INDUSTRIAL TRIBUNAL AT  
HYDERABAD

PRESENT :

Sri G. Krishna Rao, B.A., B.L., Industrial Tribunal.  
Dated the 19th day of July, Nineteen hundred and ninety one.  
Industrial Dispute No. 7 of 1991

BETWEEN

The Dy. General Secretary,  
Bank of Maharashtra,  
Karamchhari Sangh,  
3-4-1013/25, Kachiguda,  
Hyderabad-500027.

...Petitioner.

AND

The Regional Manager,  
Bank of Maharashtra,  
Regional Office,  
Hyderabad Region,  
4-3-379, Bank Street,  
Hyderabad-500001.

...Respondent.

APPEARANCES :

Sri Shinkant Godse, representative—for the petitioner.  
None for the respondent—Management.

2120 GI/91—3

## AWARD

This reference was made by the Government of India, Ministry of Labour by its Order No. L-12011/65/90-IRB II dt. 20-3-1991 for adjudication of the dispute between the management of Bank of Maharashtra and their workmen setting forth the dispute for adjudication in the schedule appended thereto as follows :—

"I. Whether the demand of the Bank of Maharashtra Karamchhari Sangh Hyderabad that Sri G. Sriramulu, Clerk and U. Arjun Rao sub-staff are entitled to draw City Compensatory Allowance even after their transfer to Anakapalle Branch as per Bipartite Settlement dt. 17-9-84 is justified? If so, what relief the workmen are entitled to?"

II. Whether the claim of the Bank of Maharashtra Karamchhari Sangh that Sri Sriramulu, Clerk is entitled to draw increment from April 1975 in the sub-staff scale in terms of Clause 20.8 of the Bipartite Settlement dated 9-11-1965 is justified? If so, what relief the workmen are entitled to?"

2. This reference was registered as I.D. No. 7 of 1991 on the file of this Tribunal and after receiving the notice, both parties appeared and the petitioner filed the claims statement. Later the respondent did not appear and did not file the counter and remained ex-parte. The averments of the claims statement filed by the petitioner read as follows :

The Union submits that the second party—respondents Bank of Maharashtra is a Nationalised Bank and the service conditions of bank employees are governed by Shastri/Desai Awards and various B.P. Settlement modified upto date. That the provisions of the above referred awards and settlement are mandatory on the Bank Management to adopt and follow. The awards and settlement herein referred to as 4th Bipartite settlement entered between the Unions and Management (L&A) dated 17-9-84 under the City Compensatory Allowance, Clause (4) reads as under :—

"In the case of a workman who has been transferred otherwise than at his request from a CCA Centre to a non-CCA Centre prior to the date of his settlement and was drawing or was entitled to draw CCA shall continue to draw the same amount as CCS which was being paid to him as per the terms and conditions applicable prior to this settlement."

Mr. G. Sriramulu, on promotion from sub-staff to clerical cadre was transferred other than at his request from Visakhapatnam to Anakapalle Branch before the date of this settlement. Mr. Sriramulu, was transferred from Visakhapatnam (CCA Centre) to Anakapalle (Non-CCA Centre) vide transfer order dated 1-6-84. As per clause (4) of Bipartite settlement dt. 17-9-1984, referred above, Mr. Sriramulu, who was getting CCA at Visakhapatnam should have been protected, but the Management of Bank of Maharashtra has arbitrarily withdrawn the same. Similarly, Mr. U. Arjun Rao sub-staff was transferred from a CCA Centre (Hyderabad) to a non-CCA Centre (Anakapalle) on 9-7-84 on administrative grounds i.e. otherwise than at his request. As per clause (4) of Bipartite settlement dated 17-9-84, referred above, Mr. U. Arjun Rao, who was getting CCA at Hyderabad should have been protected at Anakapalle a non CCA centre, but the management of Bank of Maharashtra has arbitrarily withdrawn the same. In view of the above, in the matters referred to this Hon'ble Tribunal, it is clear that if any employee has been transferred otherwise than at his request from a CCA Centre to a non-CCA Centre prior to the date of this settlement i.e. prior to 17-9-84 shall continue to draw the CCA which was being paid to him as per the terms and conditions applicable prior to this settlement. Therefore, the union submits that Mr. G. Sriramulu is entitled to be paid the CCA at Anakapalle branch and Mr. U. Arjun Rao is also entitled to be paid CCA at Anakapalle Branch, and the action of the management of Bank of Maharashtra in withdrawing the payment of CCA at Anakapalle is in utter violation of the provisions and spirit of the Bipartite settlement dt. 17-9-1984. That according to the above awards increments are to be given to employees for each completed year of service. As far as Bank of Maharashtra is concerned such increments are, since beginning, given from the

1st day of the month every year in which employees completes one year's service. That one Mr. G. Sriramulu was working at Visakhapatnam branch as Sub-staff. That, he had joined the Bank in the month of April, as sub-staff at that Branch. That therefore he was to be granted increments w.e.f. 1st April every year. The Union submits that para 20.8 is applicable in the case of Mr. G. Sriramulu, Clerk as the Bank has given him increment every year in the month of June instead of in the month of April every year, and the bank has not considered his temporary employment into probation period, as such he has not considered his temporary employment into probation period, as such he has lost one increment on his probation to clerk w.e.f. 1-6-1984. The said para is appended below for ready reference :

Para 20.8 "A temporary workman may be appointed to fill a permanent vacancy provided that such temporary employment shall not exceed a period of three months during which period the bank may make arrangement for filling up the vacancy permanently. If such a temporary workman is eventually selected for filling up the vacancy, the period of such temporary employment will be taken into account as part of his probationary period".

The Union submits that Sri G. Sriramulu, Clerk was initially appointed in the Bank at Visakhapatnam branch as sub-staff w.e.f. 10-4-1975. He was issued order to that effect for a period of 2 months; as temporary sub-staff. That staff order was extended for further two months from 7-6-1975 to 6-8-1975 at the same branch in the same post. That one fine morning his probation order was issued by the Bank and he was taken on probation w.e.f. 7-6-1975 arbitrarily, without taking into account his earlier period of two months temporary service as part of his probationary period. The Union submits that applying the above referred clause 20.8 it is crystal clear that Sri G. Sriramulu should have been taken on probation w.e.f. 10-4-1975 i.e. the date of his initial appointment instead of 7-6-1975. The Union therefore submits that the date of probation as 7-6-1975, is illegal, unfair and ab-initio-void. Therefore, the action of the management is not taking into account the period of temporary employment of 2 months as part of his probationary period is in utter violation of para 20.8 of the Bipartite settlement and hence illegal and ab-initio-void. The Union further submits that the increments are given after completion of every year from the 1st date of the month in which the employee is appointed. In view of the earlier averments and Para 20.8 had Sri G. Sriramulu, been taken on probation w.e.f. 10-4-1975, by considering and taking into account his 2 months period of temporary employment, then from the next year he would have got his increments from 1st of every April. It is further submitted that had he been given his annual increment from 1st of April every year then at the time of his promotion w.e.f. 1-6-1984, he would have got his increment w.e.f. 10-4-1984 itself, which could have been considered and protected while giving fitment after promotion to clerical cadre w.e.f. 1-6-1984 to Sri G. Sriramulu. The Union submits that since the Bank has not considered 2 months period of temporary employment into probation period and the date of probation in sub-staff cadre is not changed from 7-6-1975 to 10-4-1975, violating para 20.8 of the bipartite settlement, 1966, this action on the part of the bank be treated as illegal ab-initio-void. In view of the illegal action referred in para 24 above, the said employee in and was not granted annual increment w.e.f. April every year and hence he has suffered monetary loss because of delayed increments in sub-staff cadre, as well as clerical cadre. Because of the delayed increments the increment due in April 1984 was not given to Sri G. Sriramulu and it was given in June 1984 and hence the Bank has not considered the same while giving fitment w.e.f. 1-6-84 after his promotion from sub-staff cadre to clerical cadre, hence Sri G. Sriramulu is suffering monetary loss till today. As the action of the Bank referred in paras 24 and 26 above is illegal void and in contravention of the provisions of bipartite settlement, Mr. G. Sriramulu is at loss of one increment every year. It is therefore prayed that (a) this Hon'ble Tribunal may be pleased to hold that action of the Management of Maharashtra in not protecting the CCA payable to Mr. G. Sriramulu and Mr. U. Arjun Rao, in terms of the Bipartite settlement dated 17-9-1984 as improper, unfair and illegal.

(b) This Hon'ble Tribunal may be pleased to hold that Mr. G. Sriramulu and Mr. U. Arjun Rao are entitled to payment of CCA at Anakapalle from the date of their transfer from a CCA Centre to a non-CCA Centre. (1)(a). This Hon'ble Tribunal may be pleased to hold that the action of the management of Bank of Maharashtra in refusing denying one increment to Mr. G. Sriramulu is not only legal but also inflicting injustice to him (b). This Hon'ble Tribunal may be pleased to hold that Mr. G. Sriramulu, Clerk is entitled to draw increment from April, 1975 in the sub-staff cadre in terms of clause 20.8 of the Bipartite settlement dated 9-11-1966, (c). Any other order in the interest of justice may be passed, (d). This Hon'ble Tribunal may be pleased to decide the reference in favour of the workman with appropriate costs. The Union craves leave of this Hon'ble Tribunal to alter and/or amend this statement of claim as and when necessary. The Union opposes the Respondents to be represented by a legal practitioner, under Section 36 of Industrial Disputes Act, 1947.

3. The respondent was given sufficient time to file the counter and the respondent failed to file the counter and did not attend the Tribunal and remained ex-parte.

4. W.W. 1 was examined for the petitioner and the petitioner's side was closed. Exs. W1 to W6 were marked for the petitioner.

5. Two points arise for adjudication in this case. (1) Whether the demand of the Bank of Maharashtra Karamchari Sangh, Hyderabad that Sri G. Sriramulu, Clerk and U. Arjun Rao sub-staff are entitled to draw City Compensatory Allowance even after their transfer to Anakapalle Branch as per Bipartite settlement dt. 17-9-1984 is justified? If so, what relief the workmen are entitled to? (2) Whether the claim of the Bank of Maharashtra Karamchari Sangh that Sri Sriramulu, Clerk is entitled to draw increment from April 1975 in the sub-staff scale in terms of Clause 20.8 of the Bipartite settlement dt. 9-11-1966 is justified? If so, what relief the workmen are entitled to?

6. Point No. 1.—This point relates to demand of Bank of Maharashtra Karamchari Sangh, Hyderabad that Sri G. Sriramulu, Clerk and U. Arjun Rao, Sub-staff are entitled to draw C.C.A. even after their transfer to Anakapalle Branch as per Bipartite settlement dt. 17-9-1984 is justified, if so, to what relief the workmen are entitled to. The case of the petitioner was that Sri G. Sriramulu while working as Sub-staff in Visakhapatnam Branch was transferred to Anakapalle Branch on promotion as Clerk prior to the date of bipartite settlement dt. 17-9-1984, that C.C.A. Sriramulu was drawing at Visakhapatnam was not being paid to him at Anakapalle after transfer and that U. Arjun Rao was transferred from Hyderabad to Anakapalle and that after his transfer, Arjun Rao was also not having paid C.C.A. he was drawing at Hyderabad. The contention of the Petitioner was that as per Clause 4 of fourth Bipartite Settlement dt. 17-9-1984 both the workmen are entitled for draw to what relief the workmen are entitled to. The case of ing C.C.A. which they were drawing in their previous stations, at Anakapalle also as the transfers were not made at their request. It is relevant to extract clause 4 of fourth Bipartite settlement dated 17-9-1984 which runs as follows :

"4. In the case of a workman who has been transferred otherwise than at his request from a CCA centre to a non-CCA centre prior to the date of this settlement, and was drawing or was entitled to draw CCA, shall continue to draw the same amount as CCA which was being paid to him as per the terms and conditions applicable prior to this settlement."

In terms of the above extract clause 4 in the fourth Bipartite settlement dt. 17-9-1984 the workmen by name Sri U. Arjun Rao sub-staff who was transferred from Hyderabad to Anakapalle is undoubtedly entitled for drawing C.C.A. which he was drawing at Hyderabad C.C.A. Centre prior to his transfer to Anakapalle.

7. But with regard to Sri G. Sriramulu the position is otherwise in my opinion. Admittedly Sri G. Sriramulu was promoted from Sub-staff as a clerk which falls under Awardee staff and posted at Anakapalle. So it cannot be said that the said Sriramulu was transferred from Visakhapatnam to

Anakapalle to work in the same cadre as sub-staff. Undoubtedly on promotion as Clerk the said Sriramulu will get higher remuneration and the promotion is for his advantage. If an employee who is ripe for promotion while working in C.C.A. Centre is promoted and posted at a non-C.C.A. centre, it cannot be said that C.C.A. he was drawing should be protected when he was posted to a non-C.C.A. Centre on promotion and I am of opinion that Clause 4 of the fourth Bipartite settlement dt. 17-9-1984 has no application in such cases where the promotion and transfer was to the advantage of the employee. So I am of opinion that the said clause 4 is not applicable to the case of Sri G. Sriramulu and I am of opinion that he is not entitled for claim of C.C.A. which he was drawing at his previous station at Visakhapatnam in his new station at Anakapalle also as the transfer was on promotion and not in the same cadre as sub-staff. Hence I answer this point accordingly holding that Sri U. Arjun Rao is alone entitled for C.C.A., he was drawing at Hyderabad prior to his transfer to Anakapalle and Sri G. Sriramulu is not entitled for that relief.

8. Point No. 2:—This point relates to whether the claim of the Bank of Maharashtra Karamchhari Sangh that Sri G. Sri Ramulu, Clerk is entitled to draw increment from April, 1975 in the sub-staff scale in terms of clause 20.8 of the bipartite settlement dt. 9-11-1966 is justified, if so, what relief the workman is entitled to.

9. The contention of the petitioner was that Sri G. Sriramulu joined the service of the respondent-Bank at Visakhapatnam on 10-4-1975 as sub-staff and later he was appointed on regular basis by the office order dt. 30-7-1975 w.e.f. 7-6-1975 and therefore, the period of his first appointment should be included in the probation period in his regular appointment and the increment should be released after the expiry of one year service from the date of his first appointment, as per clause 20.8 of the 1st bipartite settlement 1966. It is relevant to extract clause 20.8 of the first bipartite settlement which runs as follows :—

"A temporary workman may be appointed to fill a permanent vacancy provided that such temporary employment shall not exceed a period of three months during which the bank shall make arrangements for filling up the vacancy permanently. If such a temporary workman is eventually selected for filling up the vacancy, the period of such temporary employment will be taken into account as part of his probationary period."

In the present case Sri G. Sriramulu was appointed as sub-staff by the office order dt. 10-4-1975 temporarily, the photostat copy of which is marked as Ex. W1 and subsequently by the office order dt. 30-7-1975, the photostat copy of which is marked as Ex. W2, the said Sriramulu was appointed on the Bank's staff as a peon on regular basis. As seen from Ex. W1 office order dt. 10-4-1975 the said Sriramulu was appointed on temporary basis for a period of two months w.e.f. 10-4-1975 and it is further stated in the said order that this is purely temporary vacancy. So it is clear from the contents of Ex. W1 that the said Sriramulu was appointed in a purely temporary vacancy. As per Ex. W2 the said Sriramulu was appointed as a Peon on regular basis. It is stated that he will be on probation for six months from the date of joining and it is further stated that at present he was posted at their Visakhapatnam Branch and he has reported to the Agent, Visakhapatnam Branch on 7-6-1975. As seen from the contents of Exs. W1 and W2 the said Sriramulu was working by the date of the order in Ex. W2 at Visakhapatnam Branch having reported to the Agent, Visakhapatnam Branch on 7-6-1975 before the expiry of the period of appointment in Ex. W1. As seen from the evidence brought on record, there is no appointment order filed continuing the said Sriramulu after expiry of the period of appointment in Ex. W1 i.e. after 10-6-1975. Whatever it may be, what is stated in para 20.8 of first Bipartite settlement was that a temporary workman may be appointed to fill a permanent vacancy, that such temporary employment shall not exceed a period of three months during which the Bank shall make arrangements for filling up the vacancy permanently and that if such temporary workman is eventually selected for filling up the vacancy the period of such temporary employment will be taken into account as part of his probation period. As seen from Ex. W1 it is clear that

the said Sriramulu was appointed in a temporary vacancy and it is not brought on record that his temporary appointment under Ex. W1 is in a permanent vacancy and that while he was working temporarily in such permanent vacancy eventually he was selected for filling up that permanent vacancy, for him to claim that his period of temporary employment should be taken into account as part of his probation period in the permanent appointment order in Ex. W2. Unless it is brought on record that Sr. amulu was temporarily appointed in the permanent vacancy and thereafter he was selected to fill up that permanent vacancy, it cannot be said that he is entitled for the benefit of accounting his temporary service as part of his probation period for releasing his increment. The temporary appointment can be made in permanent vacancies and also to meet the exigency of work. If from out of the temporary employees one appointed in the permanent vacancy and the other appointed to meet the exigency of the work, the temporary employee who was appointed to meet the exigency of work is selected in filling up the permanent vacancy, it cannot be said that such temporary employee, who is appointed in filling up the permanent vacancy, is entitled for the benefits under para 20.8 of the first bipartite settlement. In the present case, it is not brought on record that Sri G. Sriramulu was appointed temporarily under Ex. W1 in the permanent vacancy and that he was eventually selected for filling up that vacancy under Ex. W2 for him to claim that he is entitled for the benefits of para 20.8 of the bipartite settlement and on the other hand has been pointed out by me earlier, it was stated in Ex. W1 that this is purely temporary vacancy. So I am of opinion that the said Sri G. Sriramulu is not entitled to claim that the period of his temporary appointment in Ex. W1 should be taken into account as part of his probation period. Hence I answer this point holding that Sri G. Sriramulu is not entitled for the increment from the date as claimed by the petitioner.

10. In the result, an award is passed directing the respondent to pay C.C.A. to Sri U. Arjun Rao as he was drawing at Hyderabad, at Anakapalle also from the date of his joining at Anakapalle. I hold that Sri G. Sriramulu is not entitled for both the reliefs claimed by him in this case. I make no order as to costs in the circumstances of the case.

Dictated to the Stenographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal this the 19th day of July, 1991.

G. KRISHNA RAO, Industrial Tribunal

[No. L-12011/65/90-IRB-II]

V. K. VENUGOPALAN, Desk Officer

#### APPENDIX OF EVIDENCE

witnesses examined on behalf of the petitioner	Witnesses examined on behalf of the respondent
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W.W.1—Srikant Godse

NIL

#### DOCUMENTS MARKED FOR THE PETITIONER

- Ex. W1 10-4-75—Photostat copy of the office order issued by the Agent, Bank of Maharashtra, Visakhapatnam with regard to temporary appointment of G. Sriramulu as Sub-staff.
- Ex. W2 30-7-75—Photostat copy of the office order issued by the Divisional Manager, Bank of Maharashtra with regard to appointment of G. Sriramulu as Peon.
- Ex. W3—Photostat copy of the extract from Code of Service conditions of Bank Employees, 1990.
- Ex. W4 2-684—Photostat copy of the Office Order issued by the Branch Manager, Bank of Maharashtra Visakhapatnam with regard to promotion of G. Sriramulu as Clerk.
- Ex. W5 31-5-84—Photostat copy of the office order issued by the Divisional Manager, Bank of Maharashtra, with regard to transfer of Sri Arjun Rao, Sub-staff, Hyderabad Main Branch to Anakapalle Branch.

Ex. W6 17-9-84—Photostat copy of the extract from Memorandum of Settlements between the Management of Certain Banks and their workmen. Documents marked for the respondent.

NIL

नई दिल्ली, 8 अगस्त, 1991

का. भा. 2275.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेंडेंट आफ पोस्ट आफिस देहरादून के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-91 को प्राप्त हुआ था।

New Delhi, the 8th August, 1991

S.O. 2275.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. Supdt. of Post Office Dehradun and their workmen, which was received by the Central Government on 6-8-1991.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI.

I. D. No. 45/91.

In the matter of dispute between :

Shri Roshan Lal Dangwal S/o. Shri Lalta Prasad Dangwal through Shri Rajeshwar P. Goel, 117-Chander Nagar, Dehradun-248001.

#### VERSUS

Senior Superintendent of Post Offices, Dehradun Division, Rajpur Road, Dehradun-248001.

#### APPEARANCES :

Srri R. P. Goel for the workman.

Shri K. S. Parmar A. S. P. O. for the Management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/16/90-I. R. (D. U.), dated 23/30-11-1990 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Sr. Supdt. of Post Offices, Dehradun in terminating the services of Shri Roshan Lal Dangwal, S/o. Shri Lalta Prasad Dangwal w.e.f. 29-7-1989 (A. N.) is justified ? If not, to what relief the concerned workman is entitled to ?”

2. Shri R. P. Goel representative for the workman stated that the workman has informed him that he was not interested to conduct the case further and it may be closed. In view of his statement No Dispute Award is given in this case leaving the parties to bear their own costs as the

workman is not interested in proceeding further in the matter.

Dated : 24th July, 1991.

GANPATI SHARMA, Presiding Officer

[No. L-40012/16/90-IR (DU) (Pt.)]

का. भा. 2276.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. अजमेर के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-91 को प्राप्त हुआ था।

S.O. 2276.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of C. P. W. D. Ajmer and their workmen which was received by the Central Government on 6-8-1991.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI.

I. D. No. 78/88.

In the matter of dispute between :

Shri Raju, as represented by CPWD Mazdoor Union, E-26 (Old Qtr.), Sector—IV, Raja Bazar, DIZ Area, New Delhi.

#### VERSUS

The Executive Engineer, CPWD, Ajmer Civil Division, Civil Lines, Ajmer, Rajasthan.

2. Zonal Officer (WC Estt.), CPWD, Nirman Bhavan, New Delhi.

#### APPEARANCES :

None for the workman.

Shri M. N. Kalra, for the Management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/124/86-D. 2(B), dated 29-7-1989 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the decision of the management of CPWD, Ajmer in treating the date of birth of Shri Raju, Assistant Plumber in Ajmer as 2-9-1926 and as a result accepting the date of his retirement as 30-9-1986 is justified ? If not, to what relief the workman is entitled to ?”

2. The case was fixed for the evidence of the workman and the Management had concluded its evidence on 18-6-1990. Thereafter four dates were fixed i.e. 27-2-1991, 16-4-1991, 14-5-1991 and 30-7-1991 but neither the workman appeared nor his affidavit was filed, for his statement. In view of this fact that the workman has not produced any evidence it can be safely concluded that there exist no dispute between the parties as alleged in the statement of claim. I, therefore, pass a No Dispute award in this case

but leave the parties to bear their own costs.  
Dated : 1st August, 1991.

GANPATI SHARMA, Presiding Officer.

[No. L-42012/124/86-D. II(B) (Pt.)]

का. आ. 2277—औद्योगिक विवाद अधिनियम, 1947 (1947) 14 की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. इलेक्ट्रिकल डिवाजन, जयपुर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-91 को प्राप्त हुआ था।

S.O. 2277.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of CPWD, Electrical Division, Jaipur and their workmen, which was received by the Central Government on 6-8-1991.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 85/88

In the matter of dispute between : -

Shri Jai Singh and Gopal Singh  
as represented by CPWD Mazdoor Union,  
B-26, (Old Qtr), Raja Bazar,  
Sector-IV, DIZ Area, New Delhi.

Versus

Executive Engineer,  
Jaipur Central Electrical Division,  
CPWD, B-7, Bapu Nagar, Jaipur (Raj.)

#### APPEARANCES :

None—for the workman.

Shri Jagdish Sharma—for the Management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42011/75/87-D.II (B) dated 5-8-88 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the C.P.W.D. management Electrical Division, Jaipur in terminating the services of S/Shri Jai Singh and Gopal Singh, Khalasies w.e.f. 13-12-84 and 17-5-84 respectively is justified ? If not, to what relief the concerned workmen are entitled to and from what date ?"

2. The case was fixed for the evidence of the workman and the management had concluded its evidence on 27-2-91. Thereafter three dates were fixed i.e. 16-4-91, 14-5-91 and 30-7-91 but neither the workman appeared nor his affidavit was filed for his statement. In view of this fact that the workman has not produced any evidence it can be safely concluded that there exist no dispute between the parties as

alleged in the statement of claim. I, therefore, pass a No Dispute award in this case but leave the parties to bear their own costs.

GANPATI SHARMA, Presiding Officer

[No. L-42011/75/87-D.II (B) (Pt.)]

का. आ. 2278—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेंडेंट आफ पोस्ट आफिस देहरादून के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-91 को प्राप्त हुआ था।

S.O. —In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. Supdt. of Post Offices, Dehradun and their workmen, which was received by the Central Government on 5-8-1991.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 47/91

In the matter of dispute between :

Shri Praveen Kumar S/o Shri Ram Chander  
C/o Shri Rajashwar P. Goyle,  
117, Chander Nagar, Dehradun.

Versus

Senior Superintendent of Post Offices,  
Dehradun Mandal, Rajpur Road,  
Dehradun-248001.

#### APPEARANCES :

Shri R. P. Goyle—for the workman.

Shri K. S. Parmar A.S.P.O.—for the Management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/11/90-IR (DU) dated 22/30-11-90 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the Sr. Supdt. of Post Office Dehradun is justified in terminating the services of Shri Praveen Kumar S/o Shri Ramchander w.e.f. 29-7-89 ? If not, to what relief the concerned workman is entitled to and from what date ?"

2. Shri R. P. Goyle representative for the workman stated that the workman has informed him that he was not interested to conduct the case further and it may be closed. In view of his statement No Dispute award is given in this case leaving the parties to bear their own costs as the workman is not interested in proceeding further in the matter.

Dated : 24th July, 1991.

GANPATI SHARMA, Presiding Officer

[No. L-40012/11/90-IR (DU) (Pt.)]

का. आ. 2279:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकाम डिपार्टमेंट, मद्रास के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण हैदराबाद के चपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-91 को प्राप्त हुआ था।

S.O. 2279.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D/o Telecom Ehiraj, Salai, Madras and their workmen, which was received by the Central Government on 5-8-1991.

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

#### PRESENT :

Shri G. Krishna Rao, B.A., B.L., Industrial Tribunal.  
Dated the Twenty Second day of July, Ninetien hundred and ninety one.

Industrial Dispute No. 11 of 1991

#### BETWEEN

Shri D. Rasool, Mazdoor C/o. Sri G. Rahim, (Tech. Supervisor) Telephone Exchange, Guntakal-515 801.  
... Petitioner.

#### AND

1. The Chief General Manager (Projects) Department of Telecom, 3 Ehiraj Salai, Madras-600105.  
—Respondent No. 1
2. Divisional Officer (Telecom Switching Installation-II, Red Hills, Hyderabad-500004. —Respondent No. 2
3. Sri B. Rajagopala Rao, AGM (Admn.), C/o C.G.M., Telecom, Andhra Circle, Hyderabad-500001.  
—Respondent No. 3

#### APPEARANCES :

None—for the petitioner.

None—for the Respondents Nos. 1, 2 and 3.

#### AWARD

This is a reference made by the Government of India, Ministry of Labour, New Delhi by its Order No. L-40012/161/90-IR (DU) dated 19-4-1991 for adjudication of the dispute between the management of Telecom Department and the workman, setting forth the point for adjudication in the Schedule appended thereto as follows :

"Whether the action of management of Chief General Manager Projects, Department of Telecom, 3 Ehiraj, Salai, Madras-600105, in terminating the services of Shri D. Rasool, Casual Mazdoor with effect from 21-3-87 is justified? If not, to what relief the workman is entitled?"

2. This reference was registered as I. D. No. 11 of 1991. After receiving the notices, the petitioner-workman and the respondents did not put in their appearance and the petitioner did not file any claims statement and the respondents 1 to 3 did not file any counter and both of them remained ex-parte.

3. The petitioner workman and the respondent did not show any interest to prosecute their case and did not appear before this Tribunal. I am of the opinion that there is no

possibility to pass an award on merits as there is so material available on record on either side,

In the result an award is passed holding the petitioner workman is not entitled for any relief in this case as no evidence or material is brought on record to establish his case.

Dictated to the sieno-typist, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal this the 2nd day of July, 1991.

Appendix of evidence

NIL

G. GRISHNA RAO, Industrial Tribunal  
[No. L-40012/161/90-IR (DU) (Pt.)]

का. आ. 2280:—औद्योगिक विवाद अधिनियम, 1948 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेंडेंट आफ पोस्ट आफिस देहरादून के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के चपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-8-91 को प्राप्त हुआ था।

S.O. 2280.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. Supdt. of Post Offices, Dehradun and their workmen, which was received by the Central Government on 5-8-91.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 48/91

In the matter of dispute between :

Shri Keshpal Singh, S/o. Sh. Bakhtawar Singh Rawat,  
C/o Sh. R. P. Goyle, 117, Chander Nagar,  
Dehradun-248001.

Versus

Senior Superintendent Post Offices,  
Dehradun Division, Dehradun-248002.

#### APPEARANCES :

Shri R. P. Goyle—for the workman.

Shri K. S. Parmar ASPO—for the Management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/8/90-I.R.(DU) dated 22/30-11-90 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the of the management of Sr. Supdt. of Post Offices, Dehradun in termination the services of Shri Keshpal Singh, S/o. Sh. Bakhtawar Singh Rawat w.o.f. 29-7-89 is justified? If not, what relief the concerned workman is entitled to?"



2. Shri R. P. Goyle representative for the workman stated that the workman has informed him that he was not interested to conduct the case further and it may be closed. In view of his statement. No Dispute award is given in this case leaving the parties to bear their own costs as the workman is not interested in proceeding further in the matter.

24th July, 1991.

GANPATI SHARMA, Presiding Officer  
[No. L-40012/8/90-IR (DU) (Pt.)]

का. आ. 2281—औद्योगिक विवाद अधिनियम 1957 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी पी डब्ल्यू डी के प्रबन्धनत्व के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्विण्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-8-91 को प्राप्त हुआ था।

S.O. 2281.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of C.P.W.D. and their workmen, which was received by the Central Government on 6-8-91.

#### ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING  
OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL,  
NEW DELHI

I.D. No. 24/89

In the matter of dispute between :

Shri Ram Singh,  
represented by CPWD Mazdoor Union,  
E-26 (Old Qtr), Raja Bazar,  
Sector-IV, DIZ Area, New Delhi.

Versus

Executive Engineer (Electrical),  
Jaipur Central Electrical Divn.,  
CPWD B-7, Moti Marg, Bapur Nagar,  
Jaipur.

#### APPEARANCES :

None—for the workman.

Shri Jagdish Sharma—for the Management.

#### AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/57/88-D-2(B) dated 17th February 1989 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Central Public Works Department in terminating the services of Shri Ram Singh, Ex-Assistant Pump Operator, Jodhpur from 1-3-1985 is justified Legal. If not, to what relief the workman is entitled to ?"

2. The case was fixed for the evidence of the workman and the management had concluded its evidence on 27-2-91. Thereafter three dates were fixed i.e. 16-4-91, 14-5-91 and 30-7-91 but neither the workman appeared nor his affidavit was filed, for his statement. In view of the fact that the workman has not produced any evidence it can be safely concluded that there exist no dispute between the parties as alleged in the statement of claim. I, therefore, pass No Dispute award in this case but leave the parties to bear their own costs.

1st August, 1991.

GANPATI SHARMA, Presiding Officer  
[No. L-42012/57/88-D. II(B) (Pt.)]  
K. V. B. UNNY, Desk Officer

नई दिल्ली, 14 अगस्त, 1991

का. आ. 2282:—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा -1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 16-8-91 को उस तारीख के रूप में नियम करती है, जिसको उक्त अधिनियम के अध्याय-4 धारा -44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है और अध्याय-5 और 6 (धारा -76) की उपधारा (1) और (धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

1. ईस्ट गोदावरी जिले के समालकोट तालुका मंडल में समालकोट नगर पालिका की सीमा के अन्तर्गत आने वाले क्षेत्र तथा राजस्व ग्राम उन्वरु कमावरम और पी वीमावरम के अन्तर्गत आने वाले क्षेत्र।

2. ईस्ट गोदावरी जिले के पीडापुरम मंडल में पीडापुरम नगर पालिका सीमा के अन्तर्गत आने वाले क्षेत्र तथा राजस्व ग्राम जी. रागमपीटा, जे. टीमापुरम राया-भूपापाटनम, चीनी ब्रह्मदेवम, पूलीमेरु और रामेसम पीठ के अन्तर्गत आने वाले क्षेत्र।

[मि. एम. 38013/28/91 एत. एस-1]

New Delhi, the 11th August, 1991

S.O. 2282.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th August, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:—

- (i) "The area within the Municipal limits of Samalkot and also the area within the revenue Villages of Unduru, Kapavaram and P. Vemavaram in Samalkot revenue Mandal of East Godavari District."

- (ii) "The area within the Municipal limits of Peddapuram and also the area within the revenue Village of G. Ragampeta, J. Timmapurem, Rayabhupalapatnam, China Brarma Devam, Pulimeru and Ramesampet in Peddapuram Mandal of East Godavari District."

[No. S-38013/28/91-SS-I]

का. आ. 2283 :—कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 16-8-91 को उस तारीख के रूप में नियम करती है, जिसको उक्त अधिनियम के अध्याय-4 धारा -44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है और अध्याय-5 और 6 (धारा -76 की उपधारा (1) और धारा -77, 79 और 81 के सिवाय जो पहले

ही प्रवृत्त की जा चुकी है के उपबंध असम राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

राज्य	ग्राम का नाम	मौजा व तालुक	जिला
अमीत गात्र	निम्न लिखित राजस्व		
ग्रामों सहित	सिला सेन्दुरी घोषा	कामरूप	
सिवलामहा खेती	सिला सेन्दुरी घोषा	कामरूप	
नमूनीजनाह	सिला सेन्दुरी घोषा	कामरूप	
गोरी पुर	सिला सेन्दुरी घोषा	कामरूप	
जैगुरु	सिला सेन्दुरी घोषा	कामरूप	
चौकीगेट	सिला सेन्दुरी घोषा	कामरूप	

[सं. एस-38013 /27 /91-एस एस.-I]

S.O. 2283 :—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th August, 1991 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section (1) of section 76 and 77, 78, 79 and 81 which have already been brought into force of the said Act shall come into force in the following areas in the State of Assam namely : |

Name of Revenue Village	Mauza & Taluk	District
Amlagaon including Revenue Villages:—	Sila Senduri Ghopa	Kamrup
Silam Chokhaiti	Sila Senduri Ghopa	Kamrup
Namulijal a	Sila Senduri Ghopa	Kamrup
Gawripur	Sila Senduri Ghopa	Kamrup
Jaiguru	Sila Senduri Ghopa	Kamrup
Chowkigate	Sila Senduri Ghopa	Kamrup

[No. S-38013/27/91-SS-I]

शुद्धिपत्र

CORRIGENDUM

नई दिल्ली, 14 अगस्त 1991

New Delhi, the 14th August, 1991

का. आ. 2284 :—श्रम मंत्रालय भारत सरकार का अधिसूचना संख्या का. आ. 3167 दिनांक 6-11-90 जो कि भारत के राजपत्र के भाग II खण्ड 3 उपधारा (ii) दिनांक 24-11-90 में प्रकाशित हुआ में पृष्ठ 5051 पर क्रम संख्या 16 में "नान" के स्थान पर "नाट" पढ़ा जाय।

[सं. एस.-38013/22/90-एस. एस.-I]

ए. के. भट्टारै, अव्वर सचिव

S.O. 2284 :—In the English version of the notification of the Government of India in the Ministry of Labour No. S.O. 3167 dated the 6th November, 1990 published in the Gazette of India, Part II Section 3, Sub-section (ii), dated the 24th November, 1990 :—

1. at page 5052,  
at Serial No. 12,  
for 'Dhandari Kulon' read 'Dhandari Khurd'.
2. at page 5052,  
at Serial No. 16,  
for 'Nan' read 'Natt'.

[No. S-38013/22/90-S.S.I.]

A. K. BHATTARAI, Under Secy.